PATENT

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors believe they are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD FOR RAPID AMPLIFICATION OF DNA

the specification of which:

(check one)

☐ is attached hereto.

X was filed on June 13, 2001 as Application Serial No. (To be Assigned).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)			Priority Not Claimed
(Number)	(Country)	(Day/Month/Year Filed)	☐
(Number)	(Country)	(Day/Month/Year Filed)	☐
(Number)	(Country)	(Day/Month/Year Filed)	☐
(Number)	(Country)	(Day/Month/Year Filed)	☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.	(Filing Date)
(Application Serial No.	(Filing Date)
(Application Serial No.	(Filing Date)

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to the patentability of the subject matter claimed in this application, as "materiality" is defined in 37 CFR Section 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status)
(Application Serial No.)	(Filing Date)	(Status)

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Wan Ji

Inventor's Signature: _____ Date: 6/14/2001

Country of Residence: United States Citizenship: U.S.A.

Post Office Address: 2916 Majestic Oaks, Pass, Austin, Texas 78732
(Include number, street name, city, state and zip code)

Inventor's Full Name: Keqin Gregg

Inventor's Signature: Keqin Gregg Date: 06/14/2001

Country of Residence: United States Citizenship: U.S.A.

Post Office Address: 1502 West Lake Drive, Austin, Texas 78746
(Include number, street name, city, state and zip code)

Inventor's Full Name: Bonnie Reus

Inventor's Signature: Bonnie Reus Date: 6.14.01

Country of Residence: United States Citizenship: USA

Post Office Address: 1407 Vaughter Lane, Austin, Texas 78613
(Include number, street name, city, state and zip code)

Inventor's Full Name: Jon Kemppainen

Inventor's Signature: Date: 6/14/01

Country of Residence: United States Citizenship: USA

Post Office Address: 1108 San Augustine Drive, Austin, Texas 78733
(Include number, street name, city, state and zip code)

Inventor's Full Name: Kristen Taylor

Inventor's Signature: Kristen Taylor Date: 6-14-01

Country of Residence: United States Citizenship: USA

Post Office Address: 817 Electra Street, Austin, Texas 78733
(Include number, street name, city, state and zip code)

Inventor's Full Name: Scott Davis

Inventor's Signature: Date: 14 June 2001

Country of Residence: United States Citizenship: USA

Post Office Address: 1543 CR 215, Bertram, Texas 78605
(Include number, street name, city, state and zip code)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Wan Ji, et al.

Serial No.: To be Assigned

Filing Date: June 13, 2001

For: METHOD FOR RAPID AMPLIFICATION OF DNA

Group Art Unit: To be Assigned

Examiner: To be Assigned

Atty. Dkt. No.: GEN807/58000

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231:

July 18, 2001 Margaret Sampson
Date Margaret J. Sampson

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor.

The Assignee hereby revokes any previous Powers of Attorney and appoints:

Willem G. Schuurman (Reg. No. 29,998); Gregory L. Porter (Reg. No. 40,131); Andrew G. DiNovo (Reg. No. 40,115), Minh-Hien Nguyen (Reg. No. 37,294); Adam V. Floyd (Reg. No. 39,192); Timothy S. Corder (Reg. No. 38,414); Brian K. Buss (Reg. No. 42,375); Tracey B. Davies (Reg. No. 44,644); Stephen J. Moloney (Reg. No. 44,947); David B. Weaver (Reg. No. 43,244); Douglas W. McClellan (Reg. No. 41,183); Margaret J. Sampson (Reg. No. 47,052); J. Nicole Stafford (Reg. No. 43,929); Debra L.

Dennett (Reg. No. 46,370); Steven R. Borgman (Reg. No. 33,160); W. Scott Brown (Reg. No. 32,968); Barry E. Engel (Reg. No. 37,127); Stuart J. Ford (Reg. No. 37,486); Stephen S. Hodgson (Reg. No. 41,075); William L. LaFuze (Reg. No. 27,205); Gerald D. Malpass, Jr. (Reg. No. 40,079); J. Clark Martin (Reg. No. 26,198); Peter E. Mims (Reg. No. 32,429); W. Ronald Robins (Reg. No. 26,222); Karen Tucker White (Reg. No. 34,267); K. Karan Reed (Reg. No. 45,036); Tod T. Tumey (Reg. No. 47,146); Barry Bumgardner (Reg. No. 38,397); and G. Harvey Dunn III (Reg. No. 31,102) each a member, an associate or an employee of the firm of VINSON & ELKINS L.L.P., for so long as they remain with such firm, as attorney or agent, to act on Applicant's behalf before the United States Patent Office in connection with the above referenced application.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to GenomicFX, Inc. referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Margaret J. Sampson
VINSON & ELKINS L.L.P.
2300 First City Tower
1001 Fannin Street
Houston, Texas 77002-6760

ASSIGNEE:

GenomicFX, Inc.

By: _____
Name: Thomas W. Burnell, President and CEO

Date: 6-14-01

ASSIGNMENT:

☒ Concurrently filed
☐ Previously recorded
Date: _____
Reel: _____
Frame: _____

204895_1

GE-1807/4-1 MJS

UNITED STATES PATENT AND TRADEMARK OFFICE

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APRIL 01, 2002

VINSON & ELKINS
MARAGET J. SAMPSON
2300 FIRST CITY TOWER
1001 FANNIN STREET
HOUSTON, TX 77002-6760

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Docket Office
Vinson & Elkins

Chief Information Officer
Washington, DC 20231
www.uspto.gov

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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/26/2001

REEL/FRAME: 012534/0376
NUMBER OF PAGES: 10

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
JI, WAN — DOC DATE: 06/14/2001

ASSIGNOR:
GREGG, KEQIN — DOC DATE: 06/14/2001

ASSIGNOR:
REUS, BONNIE — DOC DATE: 06/14/2001

ASSIGNOR:
KEMPPAINEN, JOHN — DOC DATE: 06/14/2001

ASSIGNOR:
TAYLOR, KRISTEN — DOC DATE: 06/14/2001

ASSIGNOR:
DAVIS, SCOTT — DOC DATE: 06/14/2001

ASSIGNEE:
GENOMICFX, INC.
12024 VISTA PARKE DRIVE, SUITE 2250
AUSTIN, TEXAS 78726

SERIAL NUMBER: 09881565
PATENT NUMBER:

FILING DATE: 06/13/2001
ISSUE DATE:

ANTIONE ROYALL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

08-03-2001

101799544

Docket No.: GEN807/4-001/58000

FORM PTO-1595 (Modified)
(Rev. 6-93)
OMB No. 0651-0011 (exp.4/94)
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P08A/REV02

SHEET Y

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Offic

Tab settings ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

1. Name of conveying party(ies):
Wan Ji, Keqin Gregg, Bonnie Reus, John Kemppainen, Kristen Taylor, Scott Davis

07/23/01

Additional names(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: **GenomicFX, Inc.**

Address: **12024 Vista Parke Drive**

Suite 2250

RECEIVED
JUL 23 2001

City: **Austin** State/Prov.: **TX**

Country: **USA** ZIP: **78726**

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger

☐ Security Agreement ☐ Change of Name

☐ Other _____

Execution Date: **June 14, 2001**

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

Patent Application No.	Filing date	B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Margaret J. Sampson**

Registration No. **47,052**

Address: **Vinson & Elkins**

2300 First City Tower

1001 Fannin Street

City: **Houston** State/Prov.: **TX**

Country: **USA** ZIP: **77002-6760**

6. Total number of applications and patents involved: **X**

7. Total fee (37 CFR 3.41):.....$ **40.00**

☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☒ Authorized to be charged to deposit account

8. Deposit account number:

22-0365/GEN807/4-001/58000

08/02/2001 LMUELLER 00000199 220365 SAMPSON M
01 FC:581 40.00 CH

DO NOT USE THIS SPACE

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Margaret J. Sampson — Name of Person Signing

Margaret Sampson — Signature

July 18, 2001 — Date

Total number of pages including cover sheet, attachments, and document: **9**

ASSIGNMENT

For valuable consideration, we, WAN JI of Austin, Texas; KEQIN GREGG of Austin, Texas; BONNIE REUS of Austin, Texas; JOHN KEMPPAINEN of Austin, Texas; KRISTEN TAYLOR of Austin, Texas and SCOTT DAVIS of Bertram, Texas and all citizens of the United States of America (hereinafter referred to as "Assignors") hereby assign to GenomicFX, Inc., a corporation organized and existing under and by the virtue of the laws of the State of Delaware and having a place of business as 12024 Vista Parke Drive, Suite 2250, Austin, Texas 78726, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the invention and improvements which are the subject of an application for United States Patent filed June 13, 2001, U.S. Serial No. (To be Assigned) entitled **METHOD FOR RAPID AMPLIFICATION OF DNA**, and related applications and patents, this assignment including said application, any and all United States and foreign patents granted for any of said inventions or improvements, including all divisions, continuations, reissues, continuations-in-part and extensions thereof, and the right to claim priority based on the filing date of said application and based on the filing date of any provisional application of which said application claims the benefit under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and we authorize the Assignee to apply in all countries in our names or in its own name for patents and like rights of exclusion and for inventor's certificates for said inventions and improvements; and we agree for ourselves and our heirs, legal representatives and assigns, without further compensation, upon request to perform such lawful acts, to promptly provide Assignee with all pertinent facts and documents relating to said invention or application as may be known and accessible to us, to testify in any interference or litigation related to said invention or application and to sign such further applications,

assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this Assignment.

The Assignors hereby covenant that no assignment, sale, agreement, or encumbrance has been or will be made or entered into which would conflict with this Agreement.

Witness my hand at 12024 Vista Parke Drive, Suite 2250, Austin, TX 78726, this 14 day of June, 2001.

WAN JI

STATE OF TEXAS)
)
COUNTY OF TRAVIS)

On June 14th 2001 before me, Wan Ji, personally appeared Wan Ji.

☐ personally known to me - **OR** - ☑ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public in and for said County and State

Witness my hand at 12024 Vista Parke Drive, Suite 2250, Austin, TX 78726, this 06/14/01 day of June, 2001.

KEQIN GREGG

STATE OF TEXAS)
)
COUNTY OF TRAVIS)

On June 14th, 2001 before me, Keqin Gregg personally appeared Keqin Gregg.

☐ personally known to me - **OR** - ☑ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public in and for said County and State

Witness my hand at 12024 Vista Parke Drive, Suite 2250, Austin, TX 78726, this 14 day of June, 2001.

Bonnie Reus
BONNIE REUS

STATE OF TEXAS)
)
COUNTY OF TRAVIS)

On June 14, 2001 before me, Bonnie Reus personally appeared Bonnie Reus.

☐ personally known to me - **OR** - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Vicky W. Y. Dorgan
Notary Public in and for said County and State

Witness my hand at 12024 Vista Parke Drive, Suite 2250, Austin, TX 78726, this 14 day of June, 2001.

JON KEMPPAINEN

STATE OF TEXAS)
)
COUNTY OF TRAVIS)

On June 14th, 2001 before me, Jon Kemppainen personally appeared Jon Kemppainen.

☐ personally known to me - **OR** - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public in and for said County and State

Witness my hand at 12024 Vista Parke Drive, Suite 2250, Austin, TX 78726, this 14 day of June, 2001.

Kristen Taylor
KRISTEN TAYLOR

STATE OF TEXAS)
)
COUNTY OF TRAVIS)

On June 19th, 2001 before me, Kristen Taylor personally appeared Kristen Taylor.

☐ personally known to me - **OR** - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Vicky L. Douglas
Notary Public in and for said County and State

Witness my hand at 12024 Vista Parke Drive, Suite 2250, Austin, TX 78726, this 14 day of June, 2001.

SCOTT DAVIS

STATE OF TEXAS)
)
COUNTY OF TRAVIS)

On June 14th, 2001 before me, Scott Davis personally appeared Scott Davis.

☐ personally known to me - **OR** - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public in and for said County and State

INV850/4-1

MJSa

UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

JUNE 04, 2003

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

VINSON & ELKINS LLP
MARGARET J. SAMPSON
1001 FANNIN STREET
2300 FIRST CITY TOWER
HOUSTON, TX 77002-6760

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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/28/2003

REEL/FRAME: 013703/0544
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
GENOMICFX, INC.

DOC DATE: 01/20/2003

ASSIGNEE:
INVITROGEN CORPORATION
1600 FARADAY AVENUE
CARLSBAD, CALIFORNIA 92008

SERIAL NUMBER: 09881565
PATENT NUMBER:

FILING DATE: 06/13/2001
ISSUE DATE:

VIOLET MCCOY, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

OIPE JAN 28 2003 PATENT & TRADEMARK OFFICE

Docket No.: GEN807/4-001/58000

FORM PTO-1595 (Modified)
(Rev. 6-93)
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02-03-2003

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Patent and Trademark Office

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1-28-03

To the Honorable Commissioner of Patents and Trademark: cuments or copy thereof.

1. Name of conveying party(ies):
GenomicFX, Inc.

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: **Invitrogen Corporation**

Address: **1600 Faraday Avenue**

City: **Carlsbad** State/Prov.: **CA**

Country: **US** ZIP: **92008**

Additional name(s) & address(es) ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger

☐ Security Agreement ☐ Change of Name

☐ Other _____

Execution Date: **January 20, 2003**

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

Patent Application No.	Filing date	B. Patent No.(s)
09/881,565	**June 13, 2001**	

Additional numbers ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Margaret J. Sampson**

Registration No. **47,052**

Address: **Vinson & Elkins L.L.P.**

2300 First City Tower

1001 Fannin Street

City: **Houston** State/Prov.: **TX**

Country: **US** ZIP: **77002-6760**

6. Total number of applications and patents involved: **1**

7. Total fee (37 CFR 3.41):.....$ **40.00**

☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☒ Authorized to be charged to deposit account

8. Deposit account number:

22-0365/GEN807/4-001/58000

09881565
01/31/2003 EDONG 00000155 220365
FC:482 40.00 CH

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Margaret J. Sampson Margaret J. Sampson **January 24, 2003**

Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and 3

PATENT
GEN807/4-001US

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, does hereby:

SELL, ASSIGN AND TRANSFER to Invitrogen Corporation (the "Assignee"), having a place of business at 1600 Faraday Avenue, Carlsbad, CA 92008, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, Serial No. 09/881,565 filed on June 13, 2001, and is entitled "Method for Rapid Amplification of DNA," such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT that, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof, and generally do everything possible which the Assignee shall consider desirable for securing, maintaining and enforcing proper patent protection for such improvements and for vesting title to such improvements in the Assignee;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature) _____ Date: 1-20-03
Name: GenomicFX, Inc.

BEFORE ME, the undersigned authority, on this 20th day of Jan, 2003, personally appeared Dr. Thomas W. Burnell known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Notary or Consular Officer

[SEAL]

V. K. GUPTA
Notary Public, State of Texas
My Commission Expires
DEC. 8, 2004